

# **Achieving Better Care by Monitoring All Prescriptions (ABC-MAP)**

Act 191 of 2014

Board Meeting

April 8, 2015

# ▶ ABC-MAP Board Meeting

- Agenda

- ▮ Prescription Drug Monitoring Background
- ▮ ABC-MAP Overview
- ▮ Board Responsibilities
- ▮ Reporting

# ➤ Prescription Drug Monitoring

- Prescription Drug Monitoring Background
  - ▮ Programs are statewide electronic databases that gather information about the prescribing and dispensing of controlled substances

# ➤ Prescription Drug Monitoring

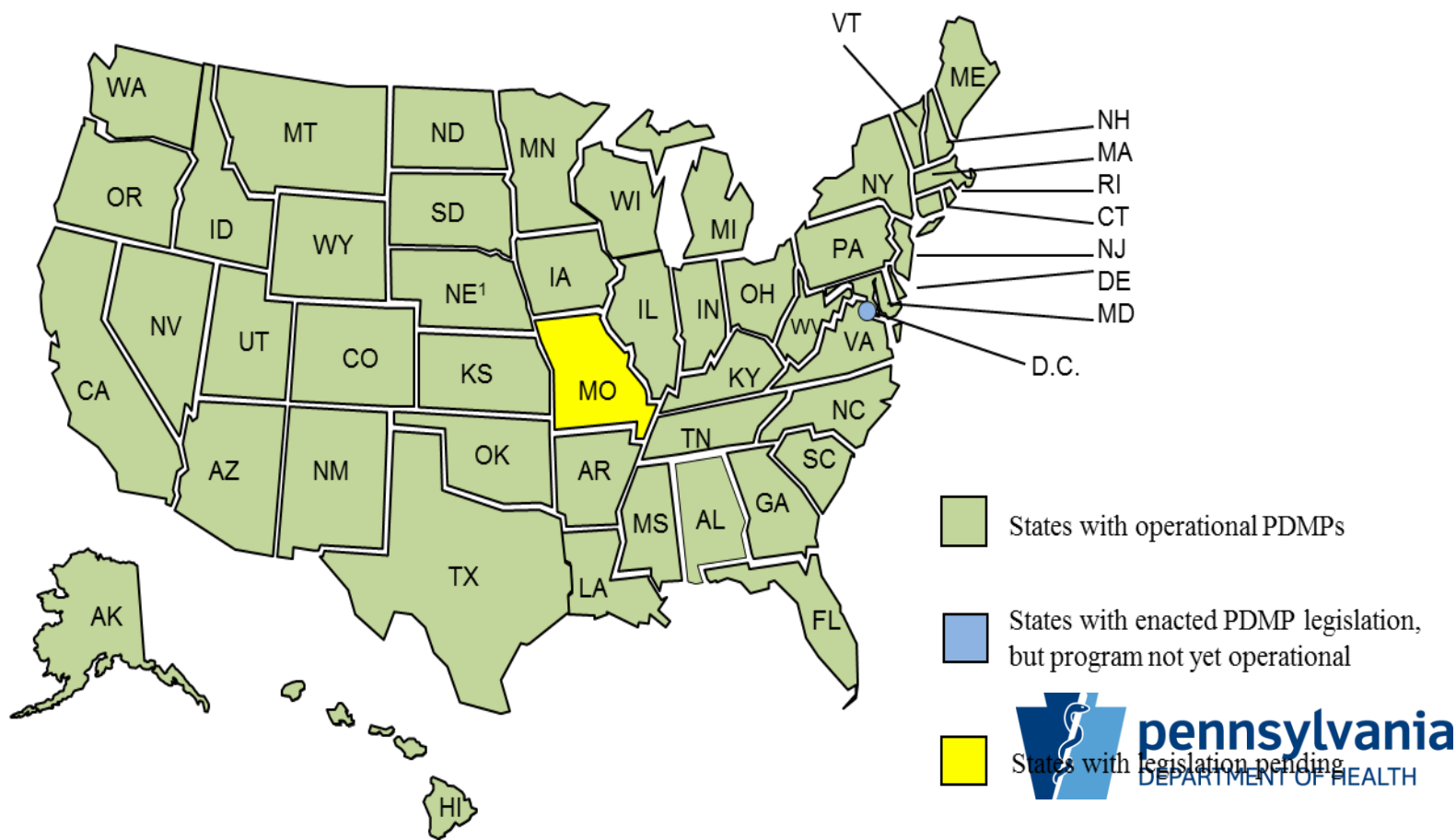
## Uses:

- Improve the quality of patient care by providing prescribers and dispensers access to information about all controlled substances dispensed to a patient.
- Aid regulatory and law enforcement agencies in the detection and prevention of fraud, drug abuse and criminal diversion of controlled drugs.

# Prescription Drug Monitoring

## STATUS OF PRESCRIPTION MONITORING PROGRAMS

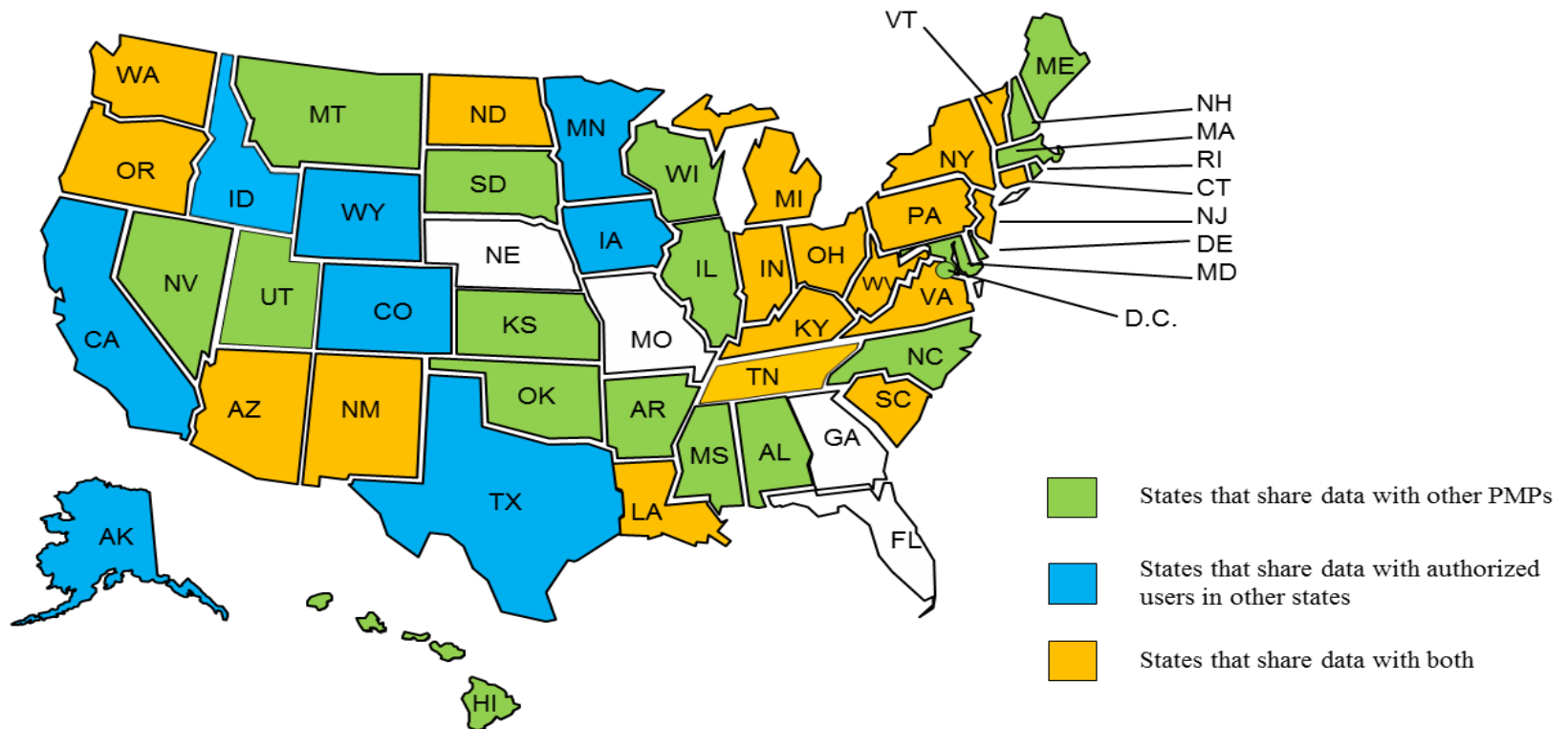
California is credited with operation of the first monitoring program in 1939. Seventy-six years later, 49 states and D.C. have passed statutes establishing a PDMP. As of December 2014, 49 programs are collecting prescription data and providing authorized users access to that information. The District of Columbia is in the process of adopting regulations, and Missouri has several bills pending in the state legislature that would enact a PDMP.



# Prescription Drug Monitoring

## INTERSTATE SHARING OF PRESCRIPTION MONITORING PROGRAM DATA

In 2014, Oklahoma became the 45th state to allow interstate sharing of prescription monitoring program information. Pennsylvania will become the 46th state on June 30, 2015.



# ➤ Prescription Drug Monitoring

- Currently, Pennsylvania has a PDMP in the Office of Attorney General that collects Schedule II drug information.

# Overview

- Pennsylvania ABC-MAP Overview

- Purposes:

- Increase quality of patient care
    - Give patients thorough and easy access to prescription records
    - Assist regulatory and law enforcement agencies



# Definitions

## ▮ Definitions:

- ▮ **Controlled Substance:** drug, substance or immediate precursor under the Controlled Substance, Drug, Device and Cosmetic Act or the Controlled Substances Act

# Definitions

- ▼ **Dispenser:** someone authorized to deliver a controlled substance to a patient by lawful order of a prescriber
  - ▼ Exceptions:
    - ▼ Licensed health care facility for use in that facility
    - ▼ Correctional facility
    - ▼ Authorized person who administers a drug
    - ▼ Wholesale distributor
    - ▼ Licensed provider in the LIFE program
    - ▼ Provider of Hospice
    - ▼ Prescriber at a licensed health care facility if the quantity is for no more than 5 days
    - ▼ Veterinarian

# Definitions

- **Prescriber:** Person licensed, registered or otherwise authorized to distribute, dispense or administer a controlled substance

# Board

## ▼ **Board:**

- ▼ Secretary of Health, Chair
- ▼ Secretaries of Human Services, Drug and Alcohol Programs, State, Aging
- ▼ Commissioners of Insurance, Pennsylvania State Police
- ▼ Attorney General
- ▼ Physician General, if Sec. of Health is not a physician

# Board

- Board responsibilities:
  - ▣ Powers and duties:
    - ▣ Secure a vendor of an electronic monitoring system
    - ▣ Appoint an advisory group
    - ▣ Create a notice for prescribers and dispensers to give to patients
    - ▣ Develop policies and procedures for program administration

# Department of Health

- ▮ Department responsibilities:
  - ▮ Administer the program by performing budgetary, accounting, procurement and other support services

# Program Components

- Program Components:
  - Electronic
  - Easily accessible by prescribers, dispensers and patients
  - Accessible website for patients to request copies, or download a form to request copies, of their program records
  - Provide training and support for system users
  - Have a process for referrals to treatment

# Requirements: System

- System must be able to record:
  - Who requests or receives information
  - Information provided
  - Date and time of request and release
- Record retention:
  - Seven years
  - Two additional years at request of law enforcement
  - Additional years only upon court order
- Attorney General's system to be transferred to this system



# ➤ Requirements: Dispensers

## ■ Requirements:

### ■ Dispensers and pharmacies:

- Must electronically submit information to the system for each controlled substance dispensed
  - Name of prescriber
  - Prescriber's DEA number
  - Date prescription written
  - Date prescription dispensed
  - Name, DOB, gender and address of person receiving the prescription
  - National Drug Code
  - Quantity and days' supply

# ➤ Requirements: Dispensers

- ▣ DEA registration number and National Provider Identifier of Dispenser
- ▣ Method of payment for the prescription

# ➤ Requirements: Prescribers

- ▣ Prescribers:

- ▣ Must query the system:

- ▣ For each patient the first time a patient is prescribed a controlled substance by the prescriber
    - ▣ If a prescriber believes the patient may be abusing or diverting
    - ▣ Must indicate the information obtained from the system in the patient's record if the patient is a new patient or if it is determined that the drug should not be prescribed based upon information from the system

# Penalties

- Unlawful acts and penalties:
  - Access or attempts to access the system without authorization or for unauthorized purposes
  - Knowingly or intentionally releasing, publishing, selling, transferring or otherwise making available or attempting to release information from the system
  - Civil penalties of not less than \$2,500 per offense
  - Dept. of Health has authority to bring action to collect fines

# ➤ Penalties and costs

- Prescribers and dispensers are subject to penalties under their respective professional licensure practice acts for violating this act
- Civil penalties collected are to be used by the Department to implement the Act
- Costs associated with submitting information to the system are assumed by dispenser

# Reporting

## ■ Reporting:

- Within 2 years of the effective date of this act and annually thereafter, Board to submit a report to the General Assembly on DOH website:
  - Number of times system was accessed
  - Rate of use by prescribers
  - Impact on prescribing practices
  - Cost effectiveness of frequency of data submission
  - Effectiveness of interoperability with other states
  - Number of law enforcement accesses and number of search warrants issued as a result

# Reporting

- Additional Report:
  - Within 2 years of the effective date of this act and annually thereafter, the Office of Attorney General, in conjunction with law enforcement, shall submit a report to the General Assembly

# ▶ ABC-MAP Board

- Current and Next Steps:
  - ▣ In process of hiring project manager to help with implementation execution
  - ▣ Post position for program director, with up to 5 additional staff to fully support program
  - ▣ Review, at next Board meeting, best practices from other states
  - ▣ Convene regularly scheduled Board meetings until program is fully operational



# Questions

**QUESTIONS?**